IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6231 OF 2002

Malinath Ramchandra
Waghmode & Others. .. Petitioners.
Vs.
Samb Shivraj Dhole .. Respondent.

Mr.S.V.Pitre for the petitioners.
Mr.V.V.Purwant for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 4TH OCTOBER, 2006

P.C.:

. Heard learned counsel for the petitioners and the respondent.

2. The petitioners have impugned the order dated 19.8.2002 passed on application at Exhibit-12 in Special Civil Suit No.333/2000 by which the petitioners-defendants had prayed for stay to the suit pending hearing and disposal of criminal case no.3457/1999 filed by the respondent against all the petitioners-defendants under section 499-500 r/w 34 of Indian Penal Code. In view of the judgment of the Supreme Court in **M.S.Sheriff and Anr. Vs. State of Madras and Others AIR 1954 SC 397 and Arvind Kalidas Wadodkar Vs. Ramdas Devidas Joshi 1996(2) Mh.L.J. 907**, the learned counsel for the parties have fairly

stated that I need not record the reasons for allowing this writ petition and have agreed for the following order:

(a) The Court of Judicial Magistrate, First Class, Court No.IV, Pune at Pune shall decide Criminal Case No.3457/1999 as expeditiously as possible and preferrably within a period of six months from the date of receipt of this order. All the petitioners undertake to appear before the learned Magistrate on the next date of hearing.

(b) Till the disposal of criminal case further proceedings in Special Civil Suit No.333/2000 shall remain stayed.

(c) The parties are directed to co-operate disposal of criminal case within time frame.

. With these observations the writ petition is disposed of.

(D.B.Bhosale, J.)